

**UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF PENNSYLVANIA**

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|-----------------------------|---|----------------------------|
| PHILADELPHIA EAGLES LIMITED | : | |
| PARTNERSHIP, | : | |
| | : | |
| Plaintiff, | : | |
| v. | : | Case No. 2:21-cv-01776-MMB |
| | : | |
| FACTORY MUTUAL INSURANCE | : | |
| COMPANY, | : | |
| | : | |
| Defendant. | : | |

**DEFENDANT FACTORY MUTUAL INSURANCE COMPANY'S NOTICE OF
SUPPLEMENTAL AUTHORITY IN SUPPORT OF ITS MOTION TO DISMISS**

Defendant Factory Mutual Insurance Company (“Factory Mutual”) respectfully submits this Notice of Supplemental Authority in Support of Its Motion to Dismiss Plaintiff’s First Amended Complaint for failure to state a claim upon which relief can be granted under Rule 12(b)(6) of the Federal Rules of Civil Procedure (ECF No. 48). The decision cited below was issued after Factory Mutual filed its Reply in Support of its Motion to Dismiss on June 22, 2022 (ECF No. 52).

- *Ungarean v. CNA*, No. 11 WAP 2023 (Pa.) (attached hereto as Ex. A); and
- *MacMiles, LLC v. Erie Insurance Exchange*, No. 10 WAP 2023 (Pa.) (attached hereto as Ex. B)

Respectfully Submitted,

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Dated: October 2, 2024

CERTIFICATE OF SERVICE

I, Richard D. Gable, Jr., hereby certify that a true and correct copy of the foregoing Notice of Supplemental Authority, electronically filed this 2nd day of October, 2024, will be served on the following counsel of record via the Court's Electronic Filing System:

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